



Montgomery County, Maryland

## COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850  
240/777-7900 • TTY 240/777-7914 • FAX 240/777-7989 • [www.co.mo.md.us/council](http://www.co.mo.md.us/council)

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*This meeting will be televised live on Channel 6; repeated on 6/28/02 at 8 pm and 6/29/02 at 9 am*

**Tuesday, June 25, 2002**

- (1) 8:30-9:45 **INTERVIEWS** - Applicants for Chair, Montgomery County Planning Board (Ferber)  
(6th floor Council Conference Room)
- 9:45-10:15 **PROPOSED CLOSED SESSION** to consult with staff, consultants, or other individuals about pending or potential litigation, pursuant to Maryland Code, State Government Article, §10-508 (a)(8). Topic is contract services. (Trombka/Faden)  
(6th Floor Council Conference Room)
- 10:30 **INVOCATION** - Reverend Virginia L. Purvis-Smith, Bethesda United Church of Christ
- 10:35 **PRESENTATION** - Proclamation to Michael Gildea, Montgomery College, by Councilmember Subin
- 10:40 **GENERAL BUSINESS**
- A. **Announcement** - Agenda and Calendar Changes (Lauer)
- B. **Action** - Approval of Minutes: May 13, 14, 15, and June 11, 2002 (Edgar)
- (2) C. **Acknowledgement** - Receipt of Petitions (McGuire)
- (3) 10:45 **CONSENT CALENDAR**
- A. **Introduction** - Special Appropriation to the County Government's FY03 Capital Budget and amendment to FY03-08 Capital Improvements Program, Department of Technology Services - \$1.518 million for the Alternate Emergency Communications Center. Source: G.O. Bonds (McMillan)  
*PS/MFP worksession is tentatively scheduled for 7/11/02 at 9:00 am;*  
*Public Hearing/Action is scheduled for 7/16/02*
- B. **Action** - Fire and Rescue Commission Executive Regulation No. 22-00AM Code of Ethics and On-Duty Personal Conduct (Davidson/Faden)  
*PS/MFP Committee recommends approval as amended.*
- C. **Action** - Extension of time until December 10, 2002 for Council action on Executive Regulation 32-01, Pesticides (Faden)

(3) 10:45 **CONSENT CALENDAR** (continued)

- D. **Action** - Executive Regulation 6-02, Water Quality Protection Charge (Levchenko)  
*T&E Committee recommends 6/24/02.*
- E. **Action** - Extension of time until December 10, 2002 for Council action on Human Rights Commission Regulation 34-01, Rules of Procedure (Cogan)
- F. **Action** - Resolution to authorize Advance Taking - Montrose Road and East Jefferson Street (Orlin)  
*T&E Committee recommendation will be available 6/24/02.*
- G. **Action** - Resolution to approve temporary process for designation of Strategic Economic Development Projects (Faden)
- H. **Action** - Resolution to approve abandonment of a portion of Winthrop Drive, Old Salem Village Subdivision, Silver Spring (Orlin)
- I. **Action** - Confirmation of County Executive appointment to the Board of Investment Trustees: Sharon M. Cayelli (Ferber)
- J. **Action** - Confirmation of County Executive appointment to the Housing Opportunities Commission: Michael Kator (Ferber)
- K. **Action** - Resolution to amend Resolution 14-1269, FY03 Operating Budget, to amend the Designation of Entities for Non-Competitive Contract Award Status (Ferber)

- (4) 10:50 **ACTION** - Executive Regulation 5-01, Anti-Cruelty Conditions for Dogs (Cogan/McMillan)  
*PS Committee recommends approval.*

11:00 **LEGISLATIVE SESSION** Day #20

- A. Approval of Legislative Journal: June 11, 2002 (Edgar)
- B. Introduction of Bills
- (5) • **Bill 23-02**, Bond Authorization, sponsored by Council President at request of the County Executive (Cogan)  
*Public Hearing/Action is scheduled for 7/16/02 at 1:30 pm.*
- C. Call of Bills for Final Reading
- (6) • **Bill 16-02**, Compensation - Elected Officials (Faden)
- (7) 11:10 **ACTION** - Ceiling Element of the FY03 Annual Growth Policy (Orlin)  
*PHED Committee recommends approval of MCPB recommendations.*

**11:40 DISTRICT COUNCIL SESSION**

- (8) A. **Introduction** - Zoning Text Amendment 02-16, Building Height Compatibility - Overlay Zone, sponsored by Councilmember Ewing (Wilson)  
*Action - Resolution to establish public hearing for 7/30/02 at 1:30 pm.*
- (9) B. **Introduction** - Zoning Text Amendment 02-17, Amendment Process - Special Exception Petition, sponsored at request of Hearing Examiner (Wilson)  
*Action - Resolution to establish public hearing for 7/30/02 at 1:30 pm.*
- (10) C. **Introduction** - Zoning Text Amendment 02-18, Deer fences, sponsored by Councilmember Dacek (Wilson)  
*Action - Resolution to establish public hearing for 7/30/02 at 1:30 pm.*
- (11) D. **Introduction** - Zoning Text Amendment 02-19, Exemption from standards - special exception petitions filed before certain date, sponsored by Council President Silverman (Wilson)  
*Action - Resolution to establish public hearing for 7/30/02 at 1:30 pm.*
- (12) E. **Action** - Resolution to establish public hearing for July 30, 2002, at 7:30 pm on the Potomac Sectional Map Amendment (G-800) (Michaelson)
- (13) 11:45 **BRIEFING** - MD 28/198 Project Planning Study (Orlin)
- 12:30 **RECESS**
- (14) 1:30 **PUBLIC HEARING/ACTION** - Supplemental Appropriation to County Government's FY02 Capital Budget and amendment to the FY01-06 Capital Improvements Program, Department of Housing and Community Affairs - \$890,000 for Community Legacy project (Source: State Aid) (Trombka)
- (15) 1:30 **PUBLIC HEARING/ACTION** - Supplemental Appropriation and Amendment to the County Government's FY02 Operating Budget, Department of Housing and Community Affairs - \$500,000 for Economic Development Initiative Special Project Grant (Source: Federal grant funds) (Trombka)  
*MFP/PHED Committee recommends approval.*
- (16) 1:30 **PUBLIC HEARING/ACTION** on the following Supplemental Appropriations to the MCPS FY02 Operating Budget: (Hughes)
  - \$353,500 for High Quality Teaching of Foundational Skills in Mathematics and Reading (Source: Private grant)
  - \$3,500,000 for Provision for Future Supported Projects (Source: Federal/State grants)
  - \$1,096,475 for After School Activities Program (Source: State grant)*ED Committee recommends approval.*

- (17) 1:30 **PUBLIC HEARING - Bill 21-02**, Homestead Property Tax Credit - 2003 Tax Year (Faden)  
*Action follows the public hearing.*

1:55 **LEGISLATIVE SESSION** Day #20 *(continued)*

- (17) C. Call of Bills for Final Reading  
• **Bill 21-02**, Homestead Property Tax Credit - 2003 Tax Year (Faden)

2:00 **ADJOURN**

2:00 or immediately following Council Session: **PHED Committee - 7CHR**

- (18) 7:30 **PUBLIC HEARING - Proposed Charter Amendments and recommendations of Charter Review Commission** (Faden)  
*Council worksession/action is tentatively scheduled for 7/16/02.*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on July 9, 2002:**

Commission for Women: Carol Lynn Green; Jodi Grant; Patricia E. Cornish; Jodi Finkelstein; Laura N. Henderson; Yun Jung Yang

East County Citizens Advisory Board: Sharon Hemstreet; John W. Hesse, II; Valerie Seligson; Marianela Peralta; John F. Tucker; Tracy DuPree Davis; Brett K. Johnson; Wanda G. Caporaletti

Adult Public Guardianship Review Board: Judith R. Bernstein; Ellen B. Franks; Robert Jerrett, III; Harry K. Tebbutt; Philip A. Corfman, M.D.

### COUNCIL MEETINGS

**Note: See the IN COMMITTEE for a listing of the Committee meetings currently scheduled.**

|   |           |   |
|---|-----------|---|
| <b>July 9, 2002</b>                         | 9:00 a.m. | Regular Session                         |
| <b>July 12-16, 2002</b>                     |           | NACo Annual Conference                  |
| <b>July 16, 2002</b>                        | 9:00 a.m. | Regular Session - Legislative Session   |
| <b>July 23, 2002</b>                        | 8:30 a.m. | Meeting with Staff of State Comptroller |
| <b>July 23, 2002</b>                        | 9:15 a.m. | Regular Session                         |
| <b>July 30, 2002</b>                        | 9:00 a.m. | Regular Session                         |
| <b>August 5 thru<br/>September. 9, 2002</b> |           | Council Recess                          |

### Public Hearings - To Testify call 240-777-7931

#### July 9, 2002

|         |  |
|---------|--|
| 1:30 pm | Zoning Text Amendment 02-07, Emergency Health Care - C-T Zone.   |
| 1:30 pm | Zoning Text Amendment 02-08, Site Plan Conformance with General Plan   |
| 1:30 pm | Subdivision Regulation Amendment 02-2, Subdivision Conformance with General Plan   |
| 1:30 pm | Zoning Text Amendment 02-09, Roofed Porches  |
| 1:30 pm | Special Appropriation to MCPS FY03 Capital Budget (\$3,000,000) and amendment to the FY03-08 Capital Improvements Program (\$5,000,000) for Fire Safety Code Upgrades (Source: G.O. Bonds) |
| 1:30 pm | Resolution to designate Howard Hughes Medical Institute as a Strategic Economic Development Project  |

#### July 16, 2002

|         |   |
|---------|---|
| 1:30 pm | Special Appropriation to the County Government's FY03 Capital Budget and amendment to FY03-08 Capital Improvements Program, Department of Technology Services - \$1.518 million for the Alternate Emergency Communications Center. Source: G.O. Bonds |
| 1:30 pm | <b>Bill 23-02</b> , Bond Authorization  |
| 7:30 pm | <b>Bill 22-02</b> , Water Quality - Trails - Location   |

#### July 23, 2002

|         |  |
|---------|--|
| 1:30 pm | Text Amendments related to the Potomac Master Plan:<br>Zoning Text Amendment 02-10, Rural Village Center Overlay Zone`<br>Zoning Text Amendment 02-11, TDR Option in PD-2 Zone<br>Zoning Text Amendment 02-12, I-3 Zone Optional Method of Development<br>Zoning Text Amendment 02-13, Quarry Related Uses in R-200 Zone<br>Zoning Text Amendment 02-14, Special/Exception Uses - R-200 Zone<br>Zoning Text Amendment 02-15, Golf Courses - RDT Zone |
|---------|--|

#### July 30, 2002

|         |   |
|---------|---|
| 1:30 pm | Zoning Text Amendment 02-16, Building Height Compatibility - Overlay Zone                                     |
| 1:30 pm | Zoning Text Amendment 02-17, Amendment Process - Special Exception Petition                                   |
| 1:30 pm | Zoning Text Amendment 02-18, Deer fences  |
| 1:30 pm | Zoning Text Amendment 02-19, Exemption from standards - special exception petitions filed before certain date |
| 7:30 pm | Potomac Sectional Map Amendment (G-800)   |



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**COUNCIL TO APPOINT NEW MEMBER**

**Application Deadline 5:00 P.M., July 1, 2002**

A vacancy currently exists on the Montgomery County Council due to the June 12, 2002, resignation of Councilmember Derick Berlage. For a vacancy that occurs within a year of a quadrennial state election, the County Charter states: "When a vacancy has occurred, a majority of the remaining members of the Council shall appoint a person to fill the vacancy within thirty days. An appointee to fill a vacancy, when succeeding a party member, shall be a member of the same political party as the person elected to such office at the time of election... An appointee shall serve for the unexpired term of the previous member. Any member appointed to fill a vacancy shall meet the same qualifications and residence requirements as the previous member."

Former Councilmember Berlage was elected as a Democrat and resided in the 5<sup>th</sup> Council District. The Council anticipates filling the vacancy on Tuesday, July 9, 2002. Any person who fulfills the Charter requirements and who is interested in being considered for this appointment should submit a letter and resume to the Council no later than the close of business on Monday, July 1, 2002. The Council does not expect to conduct interviews for this position, and nominations for the vacancy will not be limited to those who have requested consideration. The names and letters of all applicants will be available for public review.

Letters expressing interest in being considered for the position, including a resume, should be addressed to Council President Steven A. Silverman and must be **received** in the Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850, **no later than 5:00 P.M. on Monday, July 1, 2002.**

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**Montgomery County Council**  
**Legislative Information Services**

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***Tuesday, June 25, 2002***

| Item Number     | Note   | Staff    |
|-----------------|--|----------|
| Agenda Item #2  | There were no petitions received in LIS this week. | McGuire  |
| Agenda Item #3A | This item will be available on Monday, June 24.    | McMillan |

